

R307. Environmental Quality, Air Quality.**R307-222. Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste.****R307-222-1. Purpose and Applicability.**

(1) R307-222 regulates emissions from existing incinerators for hospital, medical, or infectious waste or any combination of them. The purpose of R307-222 is to reduce the emissions of particulate matter, sulfur dioxide, hydrogen chloride, oxides of nitrogen, carbon monoxide, lead, cadmium, mercury, and dioxins and dibenzofurans from incinerators burning hospital, medical or infectious waste. Reductions are required by 42 U.S.C. 7411(d) and 7429 and 40 CFR Part 60, subpart Ce, published at 62 FR 48348, September 15, 1997, and by the Plan for Incinerators for Hospital, Medical, and Infectious Waste which is incorporated by reference at R307-220-3.

(2) R307-222 applies to each incinerator for hospital, medical, or infectious waste or any combination of them for which construction was commenced on or before June 20, 1996, except as set forth below.

(a) A combustor is not subject to R307-222 during periods when only pathological waste, low-level radioactive waste, chemotherapeutic waste or any combination of them is burned, provided the owner or operator of the combustor:

(i) Notifies the executive secretary of an exemption claim; and

(ii) Keeps records on a calendar quarter basis of the periods of time when only pathological waste, low-level radioactive waste, chemotherapeutic waste or any combination of them is burned.

(b) Any co-fired combustor is not subject to this subpart if the owner or operator of the co-fired combustor:

(i) Notifies the executive secretary of an exemption claim;

(ii) Provides an estimate of the relative weight of wastes to be combusted, including hospital, medical or infectious waste or any combination of them, and other fuels and wastes; and

(iii) Keeps records on a calendar quarter basis of the weight of hospital, medical, or infectious waste or any combination of them which was combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor.

(c) Any combustor required to have a permit under R315-306 is not subject to R307-222.

(d) Any combustor which meets the applicability requirements under subpart Cb, Ea, or Eb of 40 CFR Part 60 is not subject to R307-222.

(e) Any pyrolysis unit as defined in 40 CFR 60.51c is not subject to R307-222.

(f) Any cement kiln firing hospital, medical, or infectious waste or any combination of them is not subject to R307-223.

(g) Physical or operational changes made to an existing hospital, medical or infectious waste incinerator unit solely for the purpose of complying with emission guidelines under R307-223 are not considered a modification and do not result in an existing hospital, medical or infectious or any combination waste

incinerator unit becoming subject to the provisions of R307-18.

(3) Any facility subject to R307-222 also is required to obtain an operating permit under R307-415 no later than September 15, 2000.

R307-222-2. Definitions and References.

(1) The following definitions apply only to R307-222. Definitions found in 40 CFR 60.31e, effective November 14, 1997, and 40 CFR 60.51c, effective March 16, 1998, are adopted and incorporated by reference, with the following substitutions.

(a) Substitute "executive secretary" for all federal regulation references to "Administrator."

(b) Substitute "State of Utah" for all federal regulation references to "State agency" or "State regulatory agency."

(c) Substitute "Rule R307-222" for all references to "this subpart."

(d) Substitute "40 CFR Part 60" for all references to "this part."

(e) Substitute "40 CFR" for all references to "This title."

R307-222-3. All Incinerators.

(1) Each incinerator subject to R307-222 must comply with the requirements of 40 CFR 60.52c(b) for emission limits, 40 CFR 60.53c for operator training and qualification, 40 CFR 60.55c for a waste management plan, 40 CFR 60.58c(b) excluding (b)(2)(ii) and (b)(7) for recordkeeping, and 40 CFR 60.58c(c) through (f) for reporting. These provisions are adopted and incorporated by reference.

(2) Each incinerator subject to R307-222 must submit by February 1, 1999, an initial emissions inventory for inclusion in the Plan.

(3) Compliance dates.

(a) Except as provided in (b) and (c), each incinerator must be in compliance with all requirements of R307-222 on or before the date one year after federal approval of the State Plan.

(b) The owner or operator may petition the executive secretary to extend the compliance date as late as three years after EPA approval of the State Plan or September 15, 2002, whichever is earlier. The petition must meet the requirements set forth in (c) below.

(c) The petition must be submitted by January 2, 2000 and must include the following documentation:

(i) analysis supporting the need for an extension;

(ii) an evaluation of the option to transport waste offsite to a commercial medical waste treatment and disposal facility on a temporary or permanent basis;

(iii) measurable and enforceable incremental steps of progress to be taken towards compliance;

(iv) a compliance plan as set forth in (d) below.

(d) The compliance plan must include compliance dates for either:

(i) disposal of waste offsite or installation of equipment other than an incinerator to treat waste at the earliest possible

1 date, or

2 (ii) each activity to retrofit the incinerator, including
3 the following intermediate steps:

4 (A) The owner or operator must award the contract for
5 retrofitting no later than March 1, 2000.

6 (B) The owner or operator must begin installation of air
7 pollution control devices no later than June 1, 2000.

8 (C) The owner or operator must complete installation of the
9 air pollution control devices no later than February 2, 2002.

10 (D) The owner or operator must conduct initial compliance
11 testing of each air pollution control device by April 2, 2002.

12 (E) The owner or operator must complete all requirements to
13 show compliance no later than three years following EPA approval
14 of the Plan or September 15, 2002, whichever is earlier.

15 (e) If the petition is granted, the owner or operator must
16 comply with the schedule in the compliance plan.

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18 **R307-222-4. Large, Medium and Urban Small Incinerators.**

19 Except as provided in Section R307-222-5, each incinerator
20 must comply with the emissions limitations of Table 1 in 40 CFR
21 Part 60, Subpart Ce, 40 CFR 60.57c, and 40 CFR 60.56c excluding
22 56c(b)(12) and 56c(c)(3), which are adopted and incorporated by
23 reference.

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25 **R307-222-5. Small Rural Incinerators.**

26 (1) A small rural incinerator is a small incinerator as
27 defined in Section R307-222-2 that:

28 (a) is located more than 50 miles from the boundary of the
29 nearest Standard Metropolitan Statistical Area listed in OMB
30 bulletin No. 93-17 entitled "Revised Statistical definitions for
31 Metropolitan Areas," June 30, 1993; and

32 (b) burns less than 2000 pounds per week of hospital,
33 medical or infectious waste or any combination of them. The 2000
34 pounds per week limitation does not apply during performance
35 tests.

36 (2) Each small rural incinerator must comply with the
37 emission limits of Table 2 in 40 CFR Part 60, Subpart Ce, which
38 are adopted and incorporated by reference.

39 (3) Each small incinerator must comply with the inspection
40 requirements of 40 CFR 60.36e(a)(1) and (a)(2), which are adopted
41 and incorporated by reference. An inspection meeting these
42 requirements must be conducted within one year after federal
43 approval of the Plan incorporated by reference in R307-220-3, and
44 annually no more than 12 months following the previous annual
45 inspection.

46 (4) Each small incinerator must comply with the compliance
47 and performance testing requirements of 40 CFR 60.37e(b)(1)
48 through (b)(5), which are adopted and incorporated by reference.

49 (5) Each small incinerator must comply with the monitoring
50 requirements of 40 CFR 60.37e(d)(1) through (d)(3), which are
51 adopted and incorporated by reference.

52 (6) Each small incinerator must comply with the
53 recordkeeping and reporting requirements of 40 CFR 60.38e(b)(1)

and (b) (2), which are adopted and incorporated by reference.

KEY: air pollution, hospitals, medical incinerator*, infectious waste*

Date of Enactment or Last Substantive Amendment: November 25, 1998

Notice of Continuation: June 19, 2003

Authorizing, and Implemented or Interpreted Law: 19-2-104